

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RYAN ALTON,
Plaintiff,

V.

The CITY OF BOLINGBROOK, BOLINGBROOK)
POLICE DEPARTMENT and OFFICER NAME)
UNKNOWN.)
Defendant,)

RECEIVED
PJ

1/11/2021

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

1:21-cv-00191

Judge Martha M. Pacold

Magistrate Judge Maria Valdez
PC1

COMPLAINT

Now comes the Plaintiff, RYAN ALTON (hereinafter "PLAINTIFF" or "RYAN"), and
for his cause of action against the Defendants, CITY OF BOLINGBROOK (hereinafter
"CITY"), and BOLINGBROOK POLICE DEPARTMENT (hereinafter "DEPARTMENT") and
POLICE OFFICER NAME UNKNOWN.

NATURE OF CLAIM

This is an action seeking redress for violations under 42 United States Code, Section
1983. Specifically, it is an action seeking redress for damages resulting from the defendant
officers' unwarranted and excessive use of force during and in the execution of their official
duties. And negligence because they we're told repeatedly during the incident to preserve and
save any video footage of this incident but decided to be careless in this incident.

JURISDICTION & VENUE

Jurisdiction lies in this Court pursuant to 28 U.S.C. §1331, 42 U.S.C. §1983 and 42
U.S.C. §1988. Supplemental jurisdiction lies in this Court pursuant to 28 U.S.C. § 1367.

Venue is proper in the Northern District of Illinois, pursuant to 28 U.S.C §1391(b)(2), as the events giving rise to Plaintiff's claims occurred in the Northern District of Illinois, Eastern Division, and Plaintiff is a resident in the Northern District of Illinois, Eastern Division. PARTIES. Plaintiff, RYAN ALTON is a resident of Chicago, IL, in Cook County. Defendant OFFICER is sworn law enforcement officer employed by the BOILINGBROOK POLICE DEPARTMENT and a public official of the CITY OF BOILINGBROOK. They are being sued in their official and individual capacities. At all times relevant to the allegations contained herein, OFFICER was acting under color of law. Defendant CITY OF BOLINGBROOK AND BOLINGBROOK POLICE DEPARTMENT is located in WILL COUNTY, Illinois, and for all times material to this complaint was the employer of Defendant OFFICER, HOLLE, and at all relevant times such individual defendant was acting within the scope of employment with THE BOLINGBROOK POLICE DEPARTMENT.

FACTUAL BACKGROUND

On or around MARCH 12TH, 2020 Officer for the bolingbrook police department grabbed Ryan Alton and threw him across the cell that was located in the booking area of the bolingbrook police department while he was placed in handcuffs behind his back and caused ryan to hit the concrete floor hard landing on his elbow and back and was unable to get up on his own. Office of the bolingbrook police department treated Ryan Alton inhumanly while he was in the custody of the bolingbrook police department.

Complaints and a FOIA request were filled properly while he was released by the bolingbrook police department for traffic violations and the complaint remained "under investigation" The DEFENDANT Officers' use of force was excessive and unreasonable and caused Anxiety/PTSD to PLAINTIFF. PLAINTIFF suffered severe physical injury as well as other damages, including but not limited to pain and suffering and financial loss.

COUNT I 42 U.S.C. § 1983
EXCESSIVE USE OF FORCE

Each of the foregoing paragraphs is incorporated as if restated fully herein. As stated above, the DEFENDANT OFFICER caused injury to PLAINTIFF through the excessive and unreasonable use of force. At all times relevant to this Complaint, the DEFENDANT OFFICER was acting within their capacities as Police officer for the bolingbrook police department and a city worker for the city of bolingbrook. The actions of DEFENDANT OFFICERS were Intentional, willful, and with malice. The actions of DEFENDANT OFFICER violated PLAINTIFF RYAN ALTON's rights under the Fourth and Fourteenth Amendments to the Constitution of the United States, and the Eighth Amendment of the United States Constitution which were in violation of 42 U.S.C. 1983. 45. As a direct and proximate consequence of the above described actions of The PLAINTIFF, RYAN ALTON, suffered damages including physical injury, emotional anxiety, fear, humiliation, monetary loss, pain and suffering.

COUNT II
ILLINOIS INTENTIONAL INFICTION OF EMOTIONAL DISTRESS

Each of the foregoing paragraphs is incorporated as if restated fully herein. The above-detailed conduct by the Defendant OFFICERS was extreme and outrageous and exceeded all bounds of human decency. DEFENDANT performed the act detailed above with the intent of inflicting severe emotional distress on PLAINTIFF or with knowledge of the high probability that the conduct would cause such distress. As a direct and proximate result of this conduct, PLAINTIFF did in fact suffer severe emotional distress, resulting in injury. The CITY OF BOLINGBROOK and THE BOLINGBROOK POLICE DEPARTMENT sued in this Court pursuant to the doctrine of respondent superior, in that DEFENDANT performed the actions complained of while on duty and in the employ of Defendant OFFICERS NAME IS STILL UNKNOWN and while acting within the scope of this employment.

COUNT III
NEGLIGENCE

On March 12th, 2020 I Ryan Alton requested for public records pursuant to the Illinois Freedom of information Act ("FOIA"). And on March 5th, 2020. They have acted with carelessness in this matter as a result the claim for negligence exist. I Ryan Alton have kept all information pertaining to the incident, I will provide copies of my evidence when requested.

WHEREFORE, Plaintiff demands judgment against the Defendants, jointly and Severally, for compensatory damages and because these defendant acted maliciously,

Wantonly, or oppressively, punitive damages against the individual Defendants in their Individual capacities plus the costs of time loss of work due to my attention on this matter, and for such other and additional relief as this court deems equitable and just.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues so triable.

A handwritten signature in black ink, appearing to read "J. L. R.", is written over the text of the jury demand.

 UNITED STATES POSTAL SERVICE		Retail
P	US POSTAGE PAID	Origin: 60505 01/06/21 1604140507-07
	\$7.75	
PRIORITY MAIL 1-DAY®		
		0 Lb 2.60 Oz 1026
EXPECTED DELIVERY DAY: 01/07/21		
SHIP TO: 219 S DEARBORN ST Chicago IL 60604-1702		C005
USPS TRACKING® NUMBER		
		
9505 5120 1804 1006 3659 77		

**TES
VICE®**

**PRIORITY®
MAIL**

FROM: RYAN ALTON
303 S. Broadway.
Aurora IL 60505

TO: Clerk of the Courts
219 S. Dearborn Street
Chicago IL 60604

RECEIVED
2021 JAN 11 AM 9:00
UNITED STATES
POSTAL SERVICE

TRACKED ■ INSURED



EP14F May 2020
OD: 12 1/2 x 9 1/2

VISIT US AT USPS.COM®
ORDER FREE SUPPLIES ONLINE

For Domestic shipments, the maximum weight is 70 lbs. For international shipments, the maximum weight is 20 lbs.